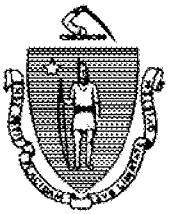


# **DEPARTMENT OF STATE POLICE**



## **GUIDE TO MILEAGE REIMBURSEMENT FOR CIVILIAN EMPLOYEES**



# The Commonwealth of Massachusetts Department of State Police

Human Resources

470 Worcester Road

Framingham, MA 01702

Telephone: (508) 820-2339

DEVAL L. PATRICK  
GOVERNOR

TIMOTHY P. MURRAY  
LIEUTENANT GOVERNOR

KEVIN M. BURKE  
SECRETARY

COLONEL MARK F. DELANEY  
SUPERINTENDENT

July 18, 2008

TO: All Civilian Employees of the Department of State Police

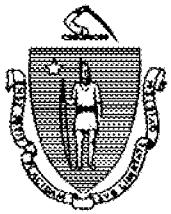
FROM: Shawn T. Givhan, Human Resources Director *JG*

SUBJECT: Revised Mileage Guide for Civilian Employees

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While performing work activities related to providing support for the uniformed branch of the Department of State Police, civilian employees routinely travel to different locations as a requirement of their jobs. Employees are compensated for aspects of their travel in accordance with the Executive Office of Administration and Finance's *Administrative Bulletin 8*, and with the employees' respective collective bargaining agreements or applicable policy documents. On the pages that follow, mileage reimbursement rates for each non-sworn bargaining unit and the state's mileage reimbursement policy for managers and confidential employees are represented as they appear in their documents of origin. This memorandum supersedes previously issued departmental documents and memoranda on the subject of mileage reimbursement for bargaining units 1, 2, 3, 4, 6, and 9 and management and confidential employees; consequently, all previously issued departmental documents and memoranda on the subject of mileage reimbursement for members of these bargaining units and for managers and confidential employees are hereby nullified.

This memorandum includes responses to frequently asked questions and two appendices relating to mileage reimbursement for state employees. Questions regarding mileage reimbursement policies may be directed to the Employee Relations Unit at (508) 820-2332. Inquiries about mileage reimbursement payment may be directed to the Fiscal Section at (508) 820-2143. Thank you.



# The Commonwealth of Massachusetts Department of State Police

Fiscal Section

470 Worcester Road

Framingham, MA 01702

Telephone: (508) 820-2146

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COLONEL MARK F. DELANEY  
SUPERINTENDENT

July 7, 2008

TO: All Civilian Employees of the Department of State Police  
FROM: Debbie Broderick, Director of Finance  
SUBJECT: Increase to Mileage Reimbursement Rate

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According to the memoranda of understanding identified below, there will be an increase in mileage reimbursement effective July 6, 2008 from .40 per mile to .45 per mile.

***Please be advised that the Commonwealth has entered into memoranda of understanding with bargaining units 1, 2, 3, 5, 6, 7, 8, 9 and 10 adjusting the mileage reimbursement rate from forty (.40) cents to forty-five (.45) cents per mile effective July 6, 2008. The agreements permit the Secretary of Administration and Finance to raise or lower this new rate upon thirty days notice, except that the rate cannot be lowered below forty (.40) cents without bargaining.***

***Similarly, and pursuant to Chapter 30, Section 25, M.G.L., as of 07/06/08 the Secretary of Administration and Finance will increase the mileage reimbursement rate for managers and confidential employees covered by the Rules Governing Paid Leave and Other Benefits (Red Book) from \$.40/per mile to \$.45 per mile.***

All mileage reimbursement requests submitted to the Department Fiscal Section from civilian personnel entitled to mileage reimbursement for travel between the dates of July 1, 2008 and July 6, 2008 must be submitted on a separate voucher covering those dates, only reflecting the present rate of .40 per mile.

## **Unit 1**

### **Article 11 Employee Expenses**

#### **Section 11.1**

A. Effective July 10, 2005, when an employee is authorized to use his/her personal automobile for travel related to his/her employment he/she shall be reimbursed at the rate of thirty (\$.30) cents per mile.

Mileage shall be determined by the odometer reading of the motor vehicle, but may be subject to review for reasonableness by the appointing authority who shall use the Milo Mileage Guidebook or a web-based service as a guide.

Effective July 10, 2005, employees shall be reimbursed for reasonable associated costs for parking and tolls for authorized travel.

B. An employee who travels from his/her home to a temporary assignment rather than to his/her regularly assigned office, shall be allowed transportation expenses for the distance between his/her home and his/her temporary assignment or between his/her regularly assigned office and his/her temporary assignment, whichever is less.

C. Employees shall not be reimbursed for commuting between their home and office or other regular work location. With the approval of the Personnel Administrator, an employee's home may be designated as his/her regular office by his/her Appointing Authority, for the purposes of allowed transportation expenses in cases where the employee has no regular office or other regular work location.

## **Unit 2**

### **ARTICLE 11 EMPLOYEE EXPENSES**

#### **Section 11.1**

A. Effective July 25, 2004, when an employee is authorized to use his/her personal vehicle for travel related to his/her employment he/she shall be reimbursed at the rate of thirty cents (\$.30) per mile. This rate of reimbursement is intended to cover the costs of garages, parking, tolls, and other charges.

B. An employee who travels from his/her home to a temporary assignment rather than to his/her regularly assigned office, shall be allowed transportation expenses for the distance between his/her home and his/her temporary assignment or between his/her regularly assigned office and his/her temporary assignment, whichever is less.

C. Employees shall not be reimbursed for commuting between their home and office or other regular work location. With the approval of the Chief Human Resources Officer, an employee's home may be designated as his/her regular office by his/her Appointing Authority, for the purposes of allowed transportation expenses in cases where the employee has no regular office or other regular work location.

D. The parties agree to a parking reimbursement pilot program for the purpose of providing for the reimbursement of parking expenses and tolls incurred when transporting or providing service

to/for clients in employees' private vehicles during the course of official Department business. In no way shall this provision be interpreted to provide reimbursement for normal daily commuter parking costs. To effectuate the purposes of this program, the Commonwealth shall appropriate \$25,000, effective July 25, 2004 and an additional \$25,000 appropriation effective July 10, 2005. The program shall terminate on June 30, 2006, or upon exhaustion of either of the appropriations. A form, to be approved by the Chief Human Resources Officer, must be completed and submitted to his/her department/agency by each employee seeking reimbursement under the pilot program.

- E. There shall be established a Union-Management Committee consisting of three (3) Union and three (3) Management appointees who shall review current procedures for reimbursing employees for personal property damaged in accordance with the provisions of Chapter 30, Section 9C of the General Laws. The committee shall, within nine (9) months of its initial meeting, establish a statewide procedure for addressing such personal property damage.

## **Unit 3**

### **Article 11 Employee Expenses**

#### **Section 11.1**

- A. Effective July 10, 2005, when an employee is authorized to use his/her personal automobile for travel related to his/her employment he/she shall be reimbursed at the rate of thirty (\$.30) cents per mile.

Mileage shall be determined by the odometer reading of the motor vehicle, but may be subject to review for reasonableness by the appointing authority who shall use the Milo Mileage Guidebook or a web-based service as a guide.

Effective July 10, 2005, employees shall be reimbursed for reasonable associated costs for parking and tolls for authorized travel.

- B. An employee who travels from his/her home to a temporary assignment rather than to his/her regularly assigned office, shall be allowed transportation expenses for the distance between his/her home and his/her temporary assignment or between his/her regularly assigned office and his/her temporary assignment, whichever is less.
- C. Employees shall not be reimbursed for commuting between their home and office or other regular work location. With the approval of the Personnel Administrator, an employee's home may be designated as his/her regular office by his/her Appointing Authority, for the purposes of allowed transportation expenses in cases where the employee has no regular office or other regular work location.

## **Unit 4**

### **Article 11 Employee Expenses**

#### **Section 11.1**

- A. When an employee is authorized to use his/her personal automobile related to his/her employment he/she shall be reimbursed at the rate of twenty-two (\$.22) cents per mile. This rate of reimbursement is intended to cover the costs of garages, parking, tolls and other charges.

Mileage shall be determined by the odometer reading of the motor vehicle, but may be subject to review for reasonableness by the Appointing Authority who shall use the Milo Mileage guidebook as a guide.

- B. An employee who travels from his/her home to a temporary assignment rather than his/her regularly assigned office, shall be allowed transportation expenses for the distance between his/her home and his/her temporary assignment or between his/her regularly assigned office and his/her temporary assignment, whichever is less.
- C. Employees shall not be reimbursed for commuting between their home and office or other regular work location. With the approval of the Personnel Administrator an employee's home may be designated as his/her regular office by his/her regular office by his/her Appointing Authority for the purposes of allowed transportation expenses in cases where the employee has no regular office or other regular work location.

## **Unit 6**

### **Article 11 Employee Expenses**

#### **Section 11.1**

- A. Effective July 10, 2005, when an employee is authorized to use his/her personal automobile for travel related to his/her employment he/she shall be reimbursed at the rate of thirty (\$.30) cents per mile.

Mileage shall be determined by the odometer reading of the motor vehicle, but may be subject to review for reasonableness by the appointing authority who shall use the Milo Mileage Guidebook or a web-based service as a guide.

Effective July 10, 2005, employees shall be reimbursed for reasonable associated costs for parking and tolls for authorized travel.

- B. An employee who travels from his/her home to a temporary assignment rather than to his/her regularly assigned office, shall be allowed transportation expenses for the distance between his/her home and temporary assignment or between his/her regularly assigned office and his/her temporary assignment, whichever is less.
- C. Employees shall not be reimbursed for commuting between their home and office or other regular work location. With the approval of the Personnel Administrator, an employee's home may be designated as his/her regular office by his/her Appointing Authority, for the purposes of allowed transportation expenses in cases where the employee has no regular office or other regular work location.

## **Unit 9**

### **Article 11 Employee Expenses**

#### **Section 11.1**

Effective 7/1/01, when an employee is authorized to use his/her personal automobile for travel related to his/her employment he/she shall be reimbursed at the rate of twenty-eight cents per mile.

Effective 7/10/05, when an employee is authorized to use his/her personal automobile for travel related to his/her employment he/she shall be reimbursed at the rate of thirty cents per mile.

Effective 7/10/05, employees on authorized travel will be reimbursed for parking and tolls.

- A. An employee who travels from his/her home to a temporary assignment rather than to his/her regularly assigned office shall be allowed transportation expenses for the distance between his/her home and his/her temporary assignment or between his/her regularly assigned office and his/her temporary assignment, whichever is less.
- B. Employees shall not be reimbursed for commuting between their home and office or other regular work location. With the approval of the Personnel Administrator an employee's home may be designated as his/her regular office by his/her appointing authority for the purposes of allowed transportation expenses in cases where the employee has no regular office or other work location.

## **Managers and Confidential Employees**

### **9.03 Travel Between Home and Work Assignment**

- Transportation of any kind between an employee's home and permanently assigned office (official headquarters) is not reimbursable (M.G.L. Chapter 30, §25).
- If employees travel from home to temporary assignments rather than to their permanently assigned offices, transportation expenses shall be allowed either for the distance from their homes to places of temporary assignment, or from their permanently assigned offices to places of temporary assignment, whichever is nearer.
- In all instances in which the Appointing Authority assigns the employee's home as his/her permanent office, prior approval must be given by the Personnel Administrator before such assignment becomes valid.
- The designation of the permanently assigned office for purposes of this rule by the Appointing Authority with the approval of the Personnel Administrator shall be final unless the employee files an appeal within 10 days in accordance with Rule 1.05.

#### **9.10 Privately-owned Automobiles and Mileage Rate**

- When use of a person's private automobile is necessary and has been authorized by the Appointing Authority, the approved mileage rate will be allowed. In addition to the approved mileage rate, reimbursement will be allowed for reasonable charges for tolls, garaging and parking.
- From time to time, the Secretary of Administration and Finance may adjust the mileage rate up or down, depending upon current conditions.
- For each trip, the city or town visited must be reported. If several addresses are visited within a city or town, state the number visited and total mileage covered. Mileage reported shall be based upon actual odometer readings or computed from a recognized mileage chart. A recognized mileage chart such as the Milo Guide or Internet mapping services such as Mapquest or Maps On Us may be used, when for example computing the distance from one's office to the work location, if such is shorter than from home (Section 9.03).
- Private automobile mileage reimbursement shall be payable only to one of two or more employees traveling together in the same vehicle.

### **Procedures for Submitting Travel Reimbursement**

1. Requests for travel reimbursement must be submitted on the state's Travel Voucher. The form is available on Docushare at <http://masp>, under Department Forms, Travel Folder.
2. A proper travel reimbursement submission consists of a Travel Voucher form, and all supporting documentation, such as parking & toll receipts. Including any back-up paperwork that supports their Travel Voucher, i.e., hotel receipts, registration fees, etc. if relevant under the applicable collective bargaining agreement.
3. Within 10 working days of the date of travel, employees should submit the Travel Voucher with supporting documentation for your supervisor's endorsement. Their assigned "T" number, from the Deputy Superintendent's office, should be on the form as well, if applicable.
4. Ultimately, submissions are remitted to the Fiscal Section for processing.
5. Employees that travel frequently may opt to submit their travel reimbursement paperwork once per month.
6. The Fiscal Section reserves the right to return any incomplete submissions to the filing employee for correction.
7. Employees may expect to receive their travel reimbursement one pay period after the Fiscal Section's receipt of the paperwork.
8. Problems with the travel reimbursement procedures should be directed to the attention of Celeste Hamm of the Fiscal Section at (508) 820-2143.

## **Meal Reimbursement**

Note: *In this example, the Unit 1 contract is used as a reference.* Meal reimbursement is a contractual matter. The State adheres to whatever the applicable collective bargaining agreement dictates. No receipts are necessary for meal reimbursement.

### **Unit 1**

#### **ARTICLE 11 EMPLOYEE EXPENSES**

##### **Section 11.2**

A. An employee who is assigned to duty that requires him/her to be absent from his/her home for more than twenty-four (24) hours shall be reimbursed for reasonable charges for lodging including reasonable tips and for meal expenses, including tips, not to exceed the following amounts:

##### **Meals Maximum Allowance Applicable Period**

Breakfast: \$3.75 (3:01 A.M. to 9:00 A.M.)

Lunch: \$6.50 (9:01 A.M. to 3:00 P.M.)

Supper: \$9.50 (3:01 P.M. to 9:00 P.M.)

B. On the first day of assignment to duty in excess of twenty-four (24) hours, employees shall not be reimbursed for breakfast if such assignment commences after six (6:00) a.m., for lunch if such assignment ends before noon or for supper if such assignment ends before ten (10:00) p.m.

C. On the last day of assignment to duty in excess of twenty-four (24) hours, employees shall not be reimbursed for breakfast if such assignment ends before six (6:00) a.m., for lunch if such an assignment ends before noon or for supper if such assignment ends before six (6:00) p.m.

D. For travel of less than twenty-four (24) hours commencing two (2) hours or more before compensated time, employees shall be entitled to the above breakfast allowance. For travel of less than twenty-four (24) hours ending two (2) hours or more after compensated time, employees shall be entitled to the above supper allowance. Employees are not entitled to the above lunch allowance for travel of less than twenty-four (24) hours.

E. Employees who are required to travel out of state for assignments of more than twenty-four (24) hours in duration shall, in lieu of the meals reimbursement provided in paragraphs A through D of this Section, receive a payment of twenty-four dollars and fifty cents (\$24.50) for each whole day during which they are on such assignment. Said payment shall be prorated for each partial day during which said employees are on such assignment. For the purposes of this paragraph:

1. A whole day shall be a twenty-four (24) hour period commencing at midnight;  
And
2. The duration of an out of state travel assignment shall begin upon the employee's departure from his/her home or work location directly to the

destination of the travel assignment, and shall conclude with the employee's arrival at his/her home or work location directly from said travel assignment.

### **Section 11.3**

Employees who work three (3) or more hours of authorized overtime, exclusive of meal times, in addition to their regular hours of employment, or employees who work three (3) or more hours, exclusive of meal times, on a day other than their regular work day, shall be reimbursed for expenses incurred for authorized meals, including tips, not to exceed the following time periods:

Breakfast	3:01 a.m. to 9:00 a.m.	\$2.75
Lunch	9:01 a.m. to 3:00 p.m.	\$3.75
Dinner	3:01 p.m. to 9:00 p.m.	\$5.75
Midnight Snack	9:01 p.m. to 3:00 a.m.	\$2.75

## **Frequently Asked Questions**

### **I am a temporary employee with the Department of State Police. What is my mileage reimbursement rate?**

Temporary employees whose services have been procured under the *Statewide Temporary Help Services Contract* are not entitled to receive mileage reimbursement and should always travel with a regular state employee on state business. Generally, this category includes all workers that are affiliated with a temporary employment agency. If you are unsure of your status, please consult with your departmental supervisor.

### **When two state employees are traveling in a private auto to the same location, are we both entitled to mileage reimbursement?**

No, only one employee is entitled to mileage reimbursement for the same trip.

### **Am I entitled to mileage reimbursement if I am driving in a state vehicle?**

No, you are only entitled to mileage reimbursement when using a personal, privately owned vehicle.

### **If I have to make multiple stops in performance of my duties, how will I be reimbursed?**

You must break down such a situation into two parts: (1) the round trip from home or office to your temporary assignment and back; (2) the miles traveled during all work-related legs of the round trip.

Example: You live in Framingham and work in Sudbury. You must go to Medford, Malden and Everett in the performance of your duties one day. You embark on this trip from your home in Framingham and you return there at the end of the trip.

- (1) First, your mileage reimbursement will generally follow the **shortest distance rule**, or "An employee who travels from his/her home to a temporary assignment rather than to his/her regularly assigned office, shall be allowed transportation expenses for the distance between his/her home and his/her temporary assignment or between his/her regularly assigned office and his/her temporary assignment, whichever is less." In accordance with the shortest distance rule, you list your mileage from Framingham to Medford for the initial part of the trip because you left from your home in Framingham, but your reimbursement will be from Sudbury to Medford, because it is a shorter distance and your regular office is in Sudbury. The next legs of the trip are from

Medford to Malden, Malden to Everett and Everett to Framingham. For the final part of the trip, you will be getting reimbursed from Everett to Sudbury, as this is a shorter distance than Everett to Framingham and your regular office is in Sudbury. Again, the shortest distance rule applies at all times.

- (2) Secondly, you must keep scrupulous track of the miles traveled for each leg of the trip. Ideally, you should record an odometer reading for the Medford to Malden trip, and then from the Malden site to the Everett destination. Your reimbursement will be strictly for the miles traveled from one assigned work location to another. If you do not take odometer readings or find that your odometer readings are inaccurate, you must cite the proper address of each destination and use the mileage tracker(s) approved by the applicable collective bargaining agreement or policy to list the mileage on your reimbursement request.

**What is the properly accepted guideline to determine mileage?**

Refer to the accepted guideline cited in your union contract. For managers and confidential employees, refer to the Red Book.

**Does my mileage reimbursement increase if I travel while conducting business on overtime?**

No, there is no relationship between overtime pay and mileage reimbursement. The mileage reimbursement rates remain the same under any work circumstances.

**Are there other factors that affect mileage reimbursement?**

No, each collective bargaining agreement and the state policy specifically cite the contributing factors for mileage reimbursement and reimbursement for other travel-related costs such as parking and toll fees. Rumored contributing factors, such as a “10-mile rule” or reimbursement for gasoline, are simply untrue.

# **APPENDIX 1**

## **Travel Guidelines**

### **Administrative Bulletin A&F 8**

**May 13, 1998**

- Purpose and Scope
- Principles Governing Travel
- Authorization and Reimbursement
- Forms

#### **Purpose and Scope**

The purpose of this Administrative Bulletin is to provide guidelines to govern the travel of state employees on Commonwealth business. These guidelines apply to in-state and out-of-state travel, including privately subsidized travel. All state agencies in the Executive Department must comply with the provisions of this Bulletin. All other state agencies are urged to comply with them.

#### **Principles Governing Travel**

All official travel must be consistent with the following principles:

- Travel must serve a legitimate public purpose in support of the state agency's mission.
- Travel arrangements must be cost effective. Executive Offices and their agencies must use available Operational Services Division ("OSD") statewide contracts to purchase travel services.
- Travel must be consistent with the relevant rules of the Personnel Administrator, OSD, and the Comptroller, including compliance with the Expenditure Classification Handbook. Where applicable, travel must also comply with the relevant provisions of current collective bargaining agreements.

#### **Authorization and Reimbursement**

Each department is responsible for establishing its own authorization process for in-state travel. These processes must be consistent with the principles set forth in this Bulletin. For the purposes of this Bulletin, a department is a state agency authorized to manage its financial affairs through the state accounting system established and maintained by the Comptroller.

Out-of-state travel requires the approval of the relevant Cabinet Secretary, or his designee. Privately subsidized travel, whether in-state or out-of-state, must comply with the provisions of 801 CMR 7.00. No department may authorize disbursements for travel expenses, including employee reimbursements, unless the travel is consistent with the provisions of this Bulletin.

#### **Forms**

The two forms associated with 801 CMR 7.00 governing privately subsidized travel and training, the Authorization for Privately Subsidized Travel and the Statement of Reconciliation, and the AF-5 Out of State Travel Authorization form are hereby eliminated. In their place, a single form covering all travel reporting is available from OSD.

[Download Travel Authorization Form (Form TAF) (Word 6.0 document taf.doc)][Word](#)

This Bulletin takes effect on July 1, 1996.

Charles D. Baker  
Secretary  
Executive Office for Administration and Finance

## Appendix 2

801 CMR: EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

801 CMR 7.00: TRAVEL AND PARTICIPATION IN TRAINING SESSIONS WHERE PRIVATE ENTITIES PROVIDE FINANCING

7.01: General Provisions 7.02: General Principles 7.03: Approval Process 7.04: Post Trip Audit/Certification 7.05: Record Keeping

7.01: General Provisions

(1) Application. 801 CMR 7.00 shall apply to all offices, departments, agencies, offices, boards, commissions or institutions of the Executive Department. Any Constitutional, Legislative, or Judicial office, department, agency, board, commission, or institution, the public institutions of higher education, and any independent authorities may adopt 801 CMR 7.00 by notice to the Secretary for Administration and Finance. Such notice shall contain a description of the non-Executive Branch entity's approval procedure, which shall be consistent with the process set forth herein to the maximum extent feasible, except that approval from the Secretary for Administration and Finance shall not be required as part of any such approval procedure. Any dispute as to the applicability of 801 CMR 7.00 shall be determined by the Executive Office for Administration and Finance.

(2) Purpose. The purpose of 801 CMR 7.00 is to provide all Departments of the Commonwealth with uniform rules and procedures governing travel and participation in training sessions where private entities provide financing.

(3) Authority. 801 CMR 7.00 are promulgated pursuant to M.G.L. c. 7, § 4.

7.02: General Principles

Commonwealth employees may accept and participate in travel and events for which private sources pay part or all of the costs. Such participation is subject to the following general conditions:

(1) The employee must comply with 801 CMR 7.00.

(2) The Agency Head and the relevant Cabinet Secretary, or the elected official, must make a determination that the travel or event serves a legitimate public purpose and that the benefit to the Commonwealth of the employee's participation in the travel or event outweighs any special non-work related benefit to the employee or the private sponsor.

(3) Ordinarily, family members and friends should not accompany Commonwealth employees on work-related matters.

7.03: Approval Procedure

(1) Pre-approval by Authorizing Manager Required. Any proposal to travel or attend an event for which a party other than the individual employee or the Commonwealth will pay any portion of the expenses must be approved in advance by the Agency Head and the relevant Cabinet Secretary.

(a) Elected Officials require no advance approval. However, they must comply with the remaining portions of 801 CMR 7.00.

(b) Employees with the rank of Secretary must receive written approval in advance from the Secretary for Administration and Finance or his/her designee.

(c) All other employees must receive the written approval of their Agency Head and Secretary. In case of the unavailability of an Agency Head, approval of the Secretary is sufficient.

(d) Employees and officials of any Constitutional, Legislative, or Judicial office, department agency, board, commission, or institution, the public institutions of higher education, and any independent authority that has elected to adopt 801 CMR 7.00 pursuant to 801 CMR 7.01(1) shall comply with the approval procedure set forth in the notice to the Secretary for Administration and Finance.

(2) Contents of the Proposal. The proposal shall include a statement, signed under the pains and penalty of perjury, that includes at a minimum the following information:

(a) A statement of the purpose of the travel or other event, including a discussion of the anticipated benefit of the travel or event to the Commonwealth and anticipated work related benefit to the employee;

(b) A full itinerary or schedule of the travel or event, including date(s) of travel, place(s) of stay, and mode(s) of transportation;

(c) A detailed estimate of the full cost of the trip, including a breakout of the anticipated expenses, specifying which expenses will be borne by the Commonwealth, all private parties, and the employee;

(d) A list of all persons accompanying the employee, including other state employees, family members, or friends, and a statement of the manner in which such other persons will pay for their travel;

- (e) A full description of the private party(ies) proposing to subsidize the travel or event, including name, address, phone number, primary business activity, business or other relationship between the private party and the State, and the specific name of the private individual authorizing payment for the subject travel;
- (f) A description of all activities offered, including for example, accommodations, sports or athletic events, meals, or entertainment and a statement of the employee's intent to participate in such activities;
- (g) A statement detailing arrangements to extend travel for personal purposes, if any.

Where the employee is unable to obtain a detailed cost breakout pursuant to 801 CMR 7.03(2)(c) for part or all of the travel or training expenses, the employee must provide a narrative description that fully describes those portions of the trip or training in which the employee intends to participate, including an explanation of why estimates of such costs are unavailable.

Copies of all hotel brochures, meeting agendas, or similar publications that support or describe the purpose of the trip or the method of travel and accommodation, should be attached to the proposal.

- (3) Legitimate Public Purpose. The Agency Head and Cabinet Secretary must determine that the proposed travel or event serves a legitimate public purpose which is not outweighed by any actual or apparent special benefit to the public employee or private sponsor. For the purpose of 801 CMR 7.00, such purposes include:

- (a) Tourism and Economic Development Activities. The goal of encouraging tourism or economic development in the Commonwealth may require out-of-state and overseas travel. When private entities agree to pay for State officials to participate in activities which serve this public interest, travel may be authorized subject to the provisions of 801 CMR 7.00.

- (b) Training and Educational Activities. Continuous training and education of public employees is necessary to improve the efficiency and effectiveness of public services. Private entities frequently make available opportunities for such training and education at no cost, or at reduced cost, to existing customers, potential customers, or the public at large. When private parties make such training, conferences, seminars or other educational activities available to the Commonwealth, and where the primary purpose of such activities is to enhance the knowledge or skills of individuals, state employees may be authorized to take advantage of these events subject to the provisions of 801 CMR 7.00.

- (c) Purchasing Decisions and Selection Boards. Prudent purchasing and vendor selection practice frequently requires travel to various sites to obtain data necessary to an informed decision. When private parties offer to pay the expenses associated with such visits, state employees may be authorized to travel subject to the provisions of 801 CMR 7.00.

- (d) Other Public Purposes. An Agency Head or Cabinet Secretary may approve travel subject to 801 CMR 7.03 that does not meet the purposes set out in 801 CMR 7.03(3)(a) through (c) when he/she determines that the purpose of the trip meets another legitimate public purpose. Such a determination must be made in writing and explicitly consider all the factors listed in 801 CMR 7.03(2). In addition, the determination should consider the likelihood of any appearance of conflict of interest or appearance of private influence that might result from acceptance of the privately sponsored travel or event.

- (4) Approval, Disapproval or Modification by Authorizing Manager. In considering a proposal for privately sponsored travel, the authorizing manager shall balance the legitimate public interest in allowing such travel against the appearance or existence of any conflict of interest. In making his/her determination, the authorizing manager shall consider:

- (a) each of the items listed in 801 CMR 7.03(2);
- (b) the accepted practices of the private sector regarding acceptance of such travel from other parties;
- (c) the extent to which such proposed expenses for travel, meals, entertainment or other activities may convey an appearance of special benefit for any employee.

Upon review, the authorizing manager may either approve the proposal as submitted, disapprove the proposal, or modify the proposal. When the authorizing manager determines that certain proposed activities or expenses are unclear, excessive, or inappropriate, he/she may, by attaching written comments, require that additional disclosure be made or that the proposal be modified. Such written comments shall be deemed to have been incorporated into the proposal and shall be binding upon the employee.

#### 7.04: Post Trip Audit/Certification

- (1) Within two weeks of his/her return, the employee must submit a statement of reconciliation, signed under the pains and penalty of perjury, to the authorizing manager, stating whether or not the actual travel or event differed from the proposal in any significant way. The statement must include a description of any material changes. The employee shall submit the statement of reconciliation to his/her Agency Head, who

shall review the statement pursuant to 801 CMR 7.04(2) and forward it to the Cabinet Secretary for his/her review. After review and approval by the Agency Head and the Cabinet Secretary, a copy of the statement should be sent to the Secretary of Administration and Finance. Elected officials shall file reconciliation statements with the Secretary for Administration and Finance.

(2) Upon review of the statement of reconciliation, or after the two week period for receipt of such a statement has expired, where the authorizing manager finds that deviations from the approved proposal have occurred, the Agency Head or Cabinet Secretary may request post-trip payments from the employee, authorize payments by the State, or take other action as appropriate.

#### 7.05: Record Keeping

(1) Each agency shall maintain a file of all travel proposals and subsequent reconciliation statements for employees of the agency, as approved in writing by the Agency Head and the relevant Cabinet Secretary. Each document shall be filed as soon as approved. In the case of elected officials, the official shall maintain such a file in his or her office.

(2) Each agency and elected official shall also forward copies of the approved travel proposals and subsequent reconciliation statements to the Executive Office for Administration and Finance as soon as approved. The Executive Office for Administration and Finance shall maintain a master file of all such documents. REGULATORY AUTHORITY

801 CMR 7.00: M.G.L. c. 7, § 4.